

## INDEPENDENT COMPENSATION PANEL

### MEETING #216 MINUTES

<b>Purpose:</b>	To determine medical, special cases and compensation claims.
<b>Date and time:</b>	Tuesday 27 September 2022 – 1130hrs to 1300hrs
<b>Location:</b>	Video Conference
<b>Panel Members:</b>	Graham Parry (Chair) Stephen Stansfeld (Medical) Phil Evans (Noise)
<b>Abbreviations:</b>	'Panel' means the Independent Compensation Panel 'Project' means Tideway 'ICC' means the Independent Complaints Commissioner for the Project 'Non-Stat Policy' means the Non-Statutory Off-site mitigation and compensation policy
<b>Document Number:</b>	<b>2350-TDWAY-TTTUN-990-ZZ-ZZ-735661</b>

Item 1	Notes for the record
<b>Applicant Reference</b>	The Panel considered the information contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-735653</b>
<b>Relevant Tideway site</b>	Acton Storm Tanks
<b>Decision</b>	<b>AWARDED</b>
<b>Details of the award</b>	<p>The health and circumstances of the claimants has been made known to the Panel.</p> <p>The claimants have identified that they are disturbed by loud noise from drilling/demolishing and other use of heavy machinery. They claim that the summer months were unbearable due to the noise with the situation being made worse by the hot weather and the need to ventilate the property. The balcony door and windows had to be kept open to prevent overheating. They are also complaining of dust and smell/odour.</p> <p>The claimant works full time from their home and noise has impacted his working ability and he has needed to find quieter places to work than the living room for conference calls etc.</p> <p>A number of videos were provided which appeared to identify elevated noise levels which appear to have been taken from the balcony and not inside the property.</p> <p>Tideway provided a timeline of site activities which potentially indicates continuing occasional disturbance.</p>

	<p>Noise monitoring data have been provided. It should be noted that the Panel is unable to determine the source of noise from the monitoring and it will include the influence of off-site noise events.</p> <p>The Panel has recently visited the area on two separate occasions and noted that, at those times, noise from site activities was relatively low.</p> <p>With respect to dust from the site, there is no evidence that this is actually an issue with dust levels appearing to be at a level typical of an urban location. In respect of odour, this should not be emanating from the site and is most likely from the existing storm tanks which are the responsibility of Thames Water.</p> <p>The claimants are requesting short respite breaks away from the property.</p> <p><b>The Panel has determined that, on a precautionary basis, particularly with respect to the health of one of the claimants, respite is awarded for each family member resident at the property at the standard amount through to the end of March 2023, when the Panel anticipates a significant reduction in site activities and noise levels. The award may be commuted into short breaks on a monthly basis at an equivalent cost.</b></p> <p><b><u>All awards are subject to Tideway’s Guidelines for Implementation of ICP decisions.</u></b></p> <p><b><u><a href="https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf">https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</a></u></b></p>
<p><b>Further information required/actions arising</b></p>	<p><b>None</b></p>
<p><b>Information/action requested from Tideway</b></p>	<p><b>None</b></p>

Item 2	Notes for the record
<p><b>Applicant Reference</b></p>	<p>The Panel considered the information contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-735652</b></p>
<p><b>Relevant Tideway site</b></p>	<p>Kirtling Street</p>
<p><b>Decision</b></p>	<p><b>DEFERRED</b></p>
<p><b>Details of the award</b></p>	<p>The claim for respite was originally awarded following the ICP meeting on 12.04.2022. At that meeting, due to noise from the Heathwall works, the Panel determined as a precautionary measure, to make an award of respite for the claimant and child. This was for an initial 6 month period after which it was to be further reviewed by the Panel. The claim is coming to an end and the claimant has stated that noise and disruption from Tideway continues so a continuation of the respite has been requested.</p> <p>The Panel undertook a site visit on the 27.09.2022 and noted that there was no disturbing noise emanating from either the Kirtling Street or the Heathwall construction sites.</p> <p>The s.61 noise levels for Kirtling Street have been reviewed by the Panel. Information or s.61 consents for the Heathwall site have not</p>

	<p>been received by the Panel and the Panel therefore requires that information from Tideway in order to determine this claim.</p> <p><b>The Panel has determined to defer the claim until information becomes available for the Heathwall site. It is anticipated that this claim will come back before the Panel on the 11<sup>th</sup> of October 2022.</b></p> <p><b><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></b></p> <p><b><u><a href="https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf">https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</a></u></b></p>
<b>Further information required/actions arising</b>	<b>None</b>
<b>Information/action requested from Tideway</b>	<b>Site update for the Heathwall site, the current s61 and any relevant noise monitoring data.</b>

<b>Item 3</b>	<b>Notes for the record</b>
<b>Applicant Reference</b>	The Panel considered the information contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-735663</b>
<b>Relevant Tideway site</b>	Carnwath Road
<b>Decision</b>	<b>AWARDED</b>
<b>Details of the award</b>	<p>The claimant has complained about disturbance from the start-up alarm for the secondary lining concrete batching unit. Information has been provided by Tideway in respect of the alarm:</p> <p>The alarm is located within the noise enclosure but can be heard at the claimant's property when the acoustic doors are open.</p> <p>During a site visit by Tideway personnel to the claimant's property on 22/09/22, a simulation was undertaken to activate the alarm whilst the noise was noted at his property. This confirmed the source of the alarm noise is the batching plant start-up alarm.</p> <ul style="list-style-type: none"> <li>When operational, the claimant is affected by the alarm when he is both indoors and outdoors.</li> </ul> <p><b>The Panel has determined, as a very precautionary measure, to make an award of a pair of noise cancelling headphones to a maximum cost of £100.</b></p> <p><b><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></b></p> <p><b><u><a href="https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf">https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</a></u></b></p>
<b>Further information required/actions arising</b>	<b>None</b>
<b>Information/action requested from Tideway</b>	<b>None</b>

Item 4	Notes for the record
<b>Applicant Reference</b>	The Panel considered the information contained in an email from the claimant dated 26 <sup>th</sup> September 2022,
<b>Relevant Tideway site</b>	Chambers Wharf
<b>Decision</b>	<b>NOT AWARDED</b>
<b>Details of the award</b>	<p>The Panel is fully aware of the personal circumstances of the claimant and her family and have previously visited the property. The Panel has reviewed the most recent video provided by the claimant. The Panel is aware of the on-going construction activities at the site and, in particular, the demobilisation activities on the site.</p> <p>It is noted that the claimant's property is substantially shielded from noise impacts and disturbance at the property. Furthermore, as autumn and winter approach, there will be less need to open windows due to overheating such that noise levels internally should remain relatively low.</p> <p><b>The Panel has determined that the request for additional respite during the October half-term is not granted.</b></p> <p><b><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></b></p> <p><b><u><a href="https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf">https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</a></u></b></p>
<b>Further information required/actions arising</b>	<b>None</b>
<b>Information/action requested from Tideway</b>	<b>None</b>

Item 5	Notes for the record
<b>Applicant Reference</b>	The Panel considered the information contained in an email from the claimant dated September 26 <sup>th</sup> 2022.
<b>Relevant Tideway site</b>	Chambers Wharf
<b>Decision</b>	<b>NOT AWARDED</b>
<b>Details of the award</b>	<p>The Panel has received a request for respite for the October half-term commencing on the 24<sup>th</sup> October 2022.</p> <p>The Panel is fully aware of the personal circumstances of the claimant and her family and have previously visited the property. The Panel has reviewed recent videos in respect of site activity. The Panel is fully aware of the on-going construction activities at the site and in particular the demobilisation activities on the site.</p> <p>Many of the demobilisation site activities are only carried out during the core hours and other activities continue to be carried out in the acoustic shed. Furthermore, recognising the onset of autumn and winter, there will be less need to open windows due to overheating such that noise levels internally should remain relatively low.</p>

	<p><b>The Panel has determined that the request for additional respite during the October half-term is not granted.</b></p> <p>The Panel wish to remind the site of the need to implement best practicable means at all times such that unnecessary and avoidable disturbance does not occur.</p> <p><b><u>All awards are subject to Tideway’s Guidelines for Implementation of ICP decisions.</u></b></p> <p><b><u><a href="https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf">https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</a></u></b></p>
<p><b>Further information required/actions arising</b></p>	<p><b>None</b></p>
<p><b>Information/action requested from Tideway</b></p>	<p><b>None</b></p>

I confirm that these minutes are an accurate record of the proceedings of the meeting.

Signed

Date 4<sup>th</sup> October 2022

**Graham Parry**  
*Chair, Independent Compensation Panel*